

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Plaintiff,

Criminal No. 05-412 (MJD/JJG)

v.

ORDER

Juan Elodio-Benitez,

Defendant.

Richard Newberry, Assistant United States Attorney, 300 South Fourth Street, Room 600, Minneapolis, MN 55415, counsel for Plaintiff.

Scott F. Tilsen, Assistant Federal Defender, 300 South Fourth Street, Room 107, Minneapolis, MN 55415, counsel for Defendant.

Upon the application of the defendant, the concurrence of the attorney for the United States and for good cause shown,

IT IS HEREBY ORDERED that the defendant, Juan Elodio-Benitez, be committed to the custody of the Attorney General of the United States pursuant to 18 U.S.C. § 4241 (b) subject to the provisions set forth in 18 U.S.C. § 4247 (b) to determine his present competency to stand trial and the presence of mental disease or defect. The Court further finds that the time from the filing of this motion to hearing on any report filed by the Attorney General pursuant to this order is excludable from the calculations under the Speedy Trial Act, 18 U.S.C. § 3161.

Dated: March 14, 2006

s / Michael J. Davis
Honorable Michael J. Davis
United States District Court Judge